IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 15735 of 2004

Between:

Uppalapati Sowbhagya Rani, W/o. B. Jaya Rao,
Enuguladinnapadu Village, Peddaraveedu Mandal, Prakasam District.

..... PETITIONER

AND

1 The Joint Collector, Prakasam District at Ongole.
2 The Revenue Divisional Officer, Markapur, Prakasam District.
3 The Mandal Revenue Officer, Peddaraveddu Mandal, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of mandamus, declaring the Procs.No. RCH/1435/2004, dated 31-7-2004 of the 2nd respondent herein and also the action of the 1st respondent in not granting stay on the appeal filed by the petitioner, as being arbitrary, illegal and unconstitutional, apart from being violative of principles of natural justice and consequently set-aside the proceedings of the 2nd respondent dated 31-7-2004 and pass

Counsel for the Petitioner: MR.G.NAGARAJU

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

Petitioner is the fair price shop dealer of Enuguladinnapadu village, Peddaraveedu Mandal, Prakasam District. Her authorisation has been suspended by the second respondent-Revenue Divisional Officer, Prakasam District by proceedings dated
31-07-2004 pending enquiry into the alleged irregularities in distribution of commodities, which is under challenge in this writ petition.

Admittedly, the petitioner has already filed an appeal before first respondent-Joint Collector, Prakasam District against the order of suspension dated 31.07.2004 and the same is pending. Since the statutory appeal is pending, I am not inclined to express any opinion on merits of the case. However, keeping in view the plea of the petitioner that the first respondent-Joint Collector, Prakasam District, failed to consider her appeal and no orders have been passed even on her application for stay so far and that in the meanwhile, she is not allowed to distribute the commodities for the month of August though no alternative arrangements were made, I deem it appropriate to dispose of the writ petition with a direction to the first respondent-Joint Collector, Prakasam District to dispose of the application for stay filed by the petitioner in the appeal as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order.

In the meanwhile, respondents are directed to release the stocks to the petitioner for the month of August, 2004, if the same have not been lifted so far for distribution to the card holders.

With the above directions the writ petition is disposed of. No costs.

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02-09-2004

klp

To

1 The Joint Collector, Prakasam District at Ongole.
2 The Revenue Divisional Officer, Markapur, Prakasam District.
3 The Mandal Revenue Officer, Peddaraveddu Mandal, Prakasam District.

4 2CCs to G.P. for Civil Supplies, High Court buildings,

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